REMARKS

Applicant respectfully requests reconsideration of the present application. On entry of

the above amendment, Claims 38-64 are pending in the application.

Rejection of Claim 1 Under 35 U.S.C. § 101

Claim 1 is rejected under 35 U.S.C. § 101 as claiming the same invention as that of Claim

1 of U.S. Patent No. 6,658,871 to Stein. Applicant submits that this rejection is moot in view of

the cancellation of Claim 1 herein. Consequently, withdrawal of this rejection is appropriate.

Rejection of Claims 38-42, 44, 46-50, 59 and 61-64 Under the Judicially Created Doctrine of

Double Patenting

Claims 38-42, 44, 46-50, 59 and 61-64 are rejected under the judicially created doctrine

of double patenting over Claims 30, 32 and 34 of Stein. Applicant submits that upon entry of the

Terminal Disclaimer enclosed herewith, this rejection is moot. Accordingly, Applicant requests

withdrawal of this rejection.

Rejection of Claims 43, 45, 51-58 and 60 Under the Judicially Created Doctrine of

Obviousness-Type Double Patenting

Claims 43, 45, 51-58 and 60 are rejected under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over Claims 30, 32 and 34 of Stein.

Applicant submits that this basis of rejection is most in view of the Terminal Disclaimer filed

herewith. Thus, withdrawal of this rejection is appropriate.

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CONCLUSION

Applicant submits that with the entry of the above amendment the present application is in condition for allowance and requests that an early notice of allowance be issued. If issues may be resolved through Examiner's amendment, or clarified in any manner, a call to the undersigned is respectfully requested.

Respectfully submitted

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